

REMARKS

Claims 1-14 are pending in the application.

Claims 1 and 7 have been amended in order to more particularly point out, and distinctly claim the subject matter to which the applicant regards as his invention. It is believed that this Amendment is fully responsive to the Office Action dated **November 20, 2002**.

Claim Rejections under 35 USC §102

Claims 1-14 are rejected under 35 USC §102(e) as being anticipated by Kuba et al. (U.S. Patent No. 5,806,072).

In the present application, selecting, at the time of reproduction of an image picked up in the normal image pickup mode (a normally picked up image) and selecting, at the time of reproduction of an image picked up in a continuous image pickup mode (a continuously picked up image), are performed using separate selecting means. In addition, at the time of reproduction, a reduced image of a normally picked up image and a reduced image representative of a series of continuously picked up images are not displayed at the same time. Therefore, at the time of reproduction, the user can clearly distinguish the normally picked up image from the continuously picked up image for selection.

By contrast, in the Kuba et al. reference, as shown in Fig. 21(B), a reduced image of a normally picked up image and a reduced image representative of a series of continuously picked up images are displayed in a mixed manner. In other words, the normally picked up image and the continuously picked up image are not displayed in a clearly distinguished manner.

In the present application, a directory for storing a normally picked up image and a directory for storing a continuously picked up image belong to the same level of hierarchy. In the Kuba et al. reference, however, as shown in Fig. 60 or 88, the directory for storing a continuously picked up image belongs to one level below the level of the directory for storing a normally picked up image.

Independent claim 1 is supported by way of an example in Figures 1 -9 and associated written description, where indeed there is a disclosure of a digital camera (Figs. 1A, 1B), having a normal image pickup mode 51 in which images of an object are picked up one by one, a continuous image pickup mode 52 in which images of an object are picked up continuously, a normally picked up image reproduction mode 61 in which an image picked up in said normal image pickup mode is reproduced and a continuously picked up image reproduction mode 62 in which an image picked up in said continuous image pickup mode is reproduced, comprising memory means 46 for storing an image; image display means 10 for displaying an image; first writing means for storing each image picked up in said normal image pickup mode in said memory means SI 1-S13; second writing means classifying into groups and storing in said memory means a plurality of images picked up in said continuous image pickup mode, session by session S15-S18; first selecting means for selecting, in said normally picked up image reproduction mode, a desired image among images stored in said memory means S31-S33; second selecting means for selecting, in said continuously picked up image reproduction mode, a desired image group among image groups stored in said memory means, and a desired image among a plurality of images belonging to the image group S40-S45; and first reading means S34, S46 for taking out the image selected by said first and second selecting means from said memory means 46 and applying the image to said image display means; wherein said image display

means do not simultaneously display both images obtained from the normal pickup mode and the continuous image pickup mode.

Independent claim 7 is supported by way of an example in Figures 1-9 and associated written description, where indeed there is a disclosure of a digital camera (Figs. 1A-1B), having a normal image pickup mode 51 in which images of an object is picked up one by one, and a continuous image pickup mode 52 in which images of an object are picked up continuously, comprising memory means 46 for storing an image; and storing means for forming directories for storing files of picked up image data in said memory means S51-S54, S82, S14-S18, storing each of the images picked up in said normal image pickup mode in one of said directories, and classifying into groups and storing a plurality of images picked up in said continuous image pickup mode, session by session of continuous image pickup, in another of the directories; wherein said image display means do not simultaneously display both images obtained from the normal pickup mode and the continuous image pickup mode.

It is well settled that:

"A claim is anticipated only if each and every element *as set forth in the claim* is found, either expressly or inherently described, in a single prior art reference." *Constant v. Advanced Micro-Devices, Inc.*, 848 F.2d 1567, 7 USPQ2d 1057 (Fed. Cir. 1988)."

Should the Office continue to believe that independent claims 1 and 7, as amended, are anticipated by the asserted prior art, a citation of where each and every claimed feature, either as column number and line number, or figure number and reference numeral, or a combination thereof,

as disclosed in the asserted prior art is respectfully requested. Should the Office determine that any claimed feature is not disclosed in the asserted prior art, it is respectfully submitted that the claimed invention is not anticipated by the asserted prior art. Allowance of the claimed invention is then respectfully requested.

Conclusion

In view of the aforementioned amendments and accompanying remarks, claims 1 and 7, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "**Version with markings to show changes made.**"

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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PATENT TRADEMARK OFFICE

Enclosure: Version with markings to show changes made

IN THE CLAIMS:

Please amend claims 1 and 7 as follows:

1. (Amended) A digital camera, having a normal image pickup mode in which images of an object are picked up one by one, a continuous image pickup mode in which images of an object are picked up continuously, a normally picked up image reproduction mode in which an image picked up in said normal image pickup mode is reproduced and a continuously picked up image reproduction mode in which an image picked up in said continuous image pickup mode is reproduced, comprising:

memory means for storing an image;

image display means for displaying an image;

first writing means for storing each image picked up in said normal image pickup mode in said memory means;

second writing means classifying into groups and storing in said memory means a plurality of images picked up in said continuous image pickup mode, session by session;

first selecting means for selecting, in said normally picked up image reproduction mode, a desired image among images stored in said memory means;

second selecting means for selecting, in said continuously picked up image reproduction mode, a desired image group among image groups stored in said memory means, and a desired image among a plurality of images belonging to the image group; and

first reading means for taking out the image selected by said first and second selecting

means from said memory means and applying the image to said image display means;

wherein said image display means do not simultaneously display both images obtained from the normal pickup mode and the continuous image pickup mode.

7. (Amended) A digital camera, having a normal image pickup mode in which images of an object is picked up one by one, and a continuous image pickup mode in which images of an object are picked up continuously, comprising:

memory means for storing an image; and

storing means for forming directories for storing files of picked up image data in said memory means, storing each of the images picked up in said normal image pickup mode in one of said directories, and classifying into groups and storing a plurality of images picked up in said continuous image pickup mode, session by session of continuous image pickup, in another of the directories;

wherein said image display means do not simultaneously display both images obtained from the normal pickup mode and the continuous image pickup mode.